



## CITY OF DURHAM | NORTH CAROLINA

**Date:** September 22, 2015

**To:** Thomas J. Bonfield, City Manager  
**Through:** W. Bowman Ferguson, Deputy City Manager  
**From:** Donald F. Greeley, Director, Water Management  
**Subject:** Contract Award to L-J, Inc. for the Contract SR-62 Easement Maintenance – Tree Removal Project

### Executive Summary

The Department of Water Management opened bids on September 10, 2015 for the Contract SR-62 Easement Maintenance – Tree Removal project. The project consists of removing trees from within City maintained utility easements throughout the service area. The Department recommends the contract be awarded to L-J, Inc., the lowest responsive and responsible bidder, at a bid price of \$437,860.00 over the two-year contract period.

### Recommendation

The Department recommends that City Council:

1. Authorize the City Manager to execute a contract with L-J, Inc. for Contract SR-62 Easement Maintenance – Tree Removal in an amount not to exceed \$437,860.00;

### Background

The City is required to maintain access to all existing sewer easements by the collection system permit issued by the North Carolina Department of Environment and Natural Resources (NCDENR). By maintaining these easements, the City ensures adequate access to the buried utilities within the easements and prevents interference from roots. The Department fulfills its maintenance responsibilities by mowing all easements annually, hand cutting large vegetation, and removing large trees that are encroaching on existing easements. Department staff is utilized to perform the mowing and hand cutting required to maintain the easements.

The tree removal services are handled by private contractors who represent the most cost-effective option for tree removal within the 300 miles of existing water, sewer, and raw water easements. The Water & Sewer Maintenance Division (WSM) does not have the resources and the General Services Department does not have the availability that is required to remove all of the trees from the identified easement areas

WSM has identified several locations throughout the City maintained easements where trees are encroaching upon the easement and need to be removed. WSM continues to identify easement areas in need of tree removal services as staff undertakes their maintenance efforts. The contract period is two years in length so that trees may continue to be removed as WSM continues to identify areas where trees are encroaching upon the easement.

### Issues and Analysis

Bids were opened on September 10, 2015 for the Contract SR-62 Easement Maintenance – Tree Removal project. This contract is for a 2-year period, which allows WSM to continue to identify areas in need of tree removal services while the selected contractor begins work on those areas that have previously been identified by WSM as needing tree removal services.

The project was bid on a unit price basis. The bid results are:

<b>Contractor</b>	<b>Total Bid</b>
L-J, Inc.	\$437,860.00
Caldwell Landscaping & Clearing	\$820,997.00*
Pittman's Tree and Landscaping, Inc.	Bid Non-Responsive

\*Mathematical error adjusted from Bid Document (\$824,997.00)

Review of the bids deemed two of the three bidders responsive and responsible. Pittman's Tree and Landscaping, Inc. was found to be non-responsive due to a failure to acknowledge the Addendum. L-J, Inc. is deemed the lowest responsive, responsible bidder.

### **Alternatives**

Alternative 1: Do not go forward with the project – Neither Department staff nor General Service's staff has the resources or availability to provide tree removal services of this magnitude and as a result, the required maintenance would not take place. This alternative would be a violation of the City's sewer collection permit and would result in water and sewer mains being inaccessible to City staff.

### **Financial Impact**

This contract is for two years of tree removal with funding approved in separate fiscal years. The funding will be allocated as follows:

Year 1	\$218,930.00
Year 2	\$218,930.00

Funds for this project were approved in the WSM Operating Budget (5100P600-728600).

### **SDBE Summary**

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by L-J Inc., Columbia, SC to determine compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting. There were no SDBE goals for this project. It was determined that L-J Inc. was in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

### **SDBE Requirements**

There were no SDBE requirements for this project.

### **Workforce Statistics**

The workforce statistics for L-J Inc. are as follows:

Total Workforce	4	
Total Females	2	50%
Total Males	2	50%
Black Males	0	0%
White Males	2	50%
Other Males	0	0%
Black Females	0	0%
White Females	2	50%
Other Females	0	0%